Rejections Under 35 U.S.C. § 103(a)

The Examiner maintained the rejection of claims 1-12 under 35 U.S.C. § 103 as unpatentable over US patent 4,740,374 or US patent 5,866,157, individually or combined with US patent 5,271,946. Applicants respectfully request reconsideration based on the amendments made to the claims in combination with the previously submitted arguments regarding criticality of particle size limitation and the insufficiency of the teachings of the cited prior art.

In particular, the claims now are directed to transdermal applications, as indicated by the amendment of the claims to refer to percutaneous absorption preparations. The cited prior art does not teach percutaneous absorption preparations.\

In view of the claim amendments, Applicants assert that the cited prior art patents, alone or in combination, do not teach or suggest the claimed invention. Accordingly, Applicants respectfully request that the Examiner reconsider withdraw the rejection of the claims under 35 U.S.C. 103.

CONCLUSION

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, which is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
Kurita, et al., Applicant

John R. Van Amsterdam, Reg. No. 40,212
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
Telephone: (617) 720-3500

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Marked-up Amended Claims

1. (Twice amended) [An] A percutaneous absorption adhesive preparation comprising a base drug salt and an organic acid salt, wherein said organic acid salt is in the form of powder having a mean diameter of 0.1-100 μm, and said drug forms an ion-pair with the organic acid salt.

2. (Amended) The percutaneous absorption adhesive preparation according to claim 1, wherein the mean diameter of the organic acid salt is 0.1-10 μm.

3. (Twice amended) The percutaneous absorption adhesive preparation according to claim 1 comprising the organic acid salt of 0.01-15% by weight.

4. (Twice amended) The percutaneous absorption adhesive preparation according to claim 1 comprising the base drug salt of 0.1-20% by weight.

5. (Thrice amended) The percutaneous absorption adhesive preparation according to claim 1, wherein the organic acid salt is an acetic acid salt.

6. (Twice amended) The percutaneous absorption adhesive preparation according to claim 5, wherein the organic acid salt is sodium acetate.

7. (Amended) The percutaneous absorption adhesive preparation according to claim 2 comprising the organic acid salt of 0.01-15% by weight.

8. (Amended) The percutaneous absorption adhesive preparation according to claim 2 comprising the base drug salt of 0.1-20% by weight.

9. (Twice amended) The percutaneous absorption adhesive preparation according to claim 2, wherein the organic acid salt is an acetic acid salt.

10. (Twice amended) The percutaneous absorption adhesive preparation according to claim 9, wherein the organic acid salt is sodium acetate.

11. (Twice amended) The percutaneous absorption adhesive preparation according to claim 3, wherein the organic acid salt is an acetic acid salt.

12. (Twice amended) The percutaneous absorption adhesive preparation according to claim 11, wherein the organic acid salt is sodium acetate.